

**RULES
OF
BOARD OF REGENTS
OF THE
THE STATE UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF TENNESSEE**

INSTITUTIONAL STUDENT DISCIPLINARY RULES

**CHAPTER 0240-3-7
CHATTANOOGA STATE TECHNICAL COMMUNITY COLLEGE
STUDENT DISCIPLINARY RULES**

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0240-3-7-.01 INSTITUTION POLICY STATEMENT.

- (1) College students are citizens of the State, local and national governments, and of the academic community and are, therefore, expected to conduct themselves as law-abiding members of each community at all times. Admission to an institution of higher education carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between the institution and the academic community which it seeks to serve, the Tennessee Board of Regents has authorized the President of the College to take such action as may be necessary to maintain campus conditions and preserve the integrity of the institution and its educational environment.
- (2) Pursuant to this authorization, the College has developed the following regulations which are intended to govern student conduct on campus. In addition, students are subject to all national, state and local laws, and ordinances. If a student's violation of such laws or ordinances also adversely affects the institution's pursuit of its educational objectives, the institution may enforce its own regulations regardless of any proceedings instituted by other authorities. Conversely, a violation of any section of these regulations may subject a student to disciplinary measures by the institution whether or not such conduct is simultaneously violative of state, local or national laws.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed February 18, 1999; effective June 28, 1999. Amendment filed February 28, 2000; effective June 28, 2000.

0240-3-7-.02 DEFINITIONS.

- (1) The term "College" means Chattanooga State Technical Community College.
- (2) For the purpose of these rules only, the term "student" includes all full-time and part-time participants in credit, non-credit, clock hour and other college sponsored programs.
- (3) For the purposes of these rules only, the term "faculty member" means any person hired by the College to conduct classroom activities.
- (4) The term "College official" includes any person employed by the College, performing assigned administrative or professional responsibilities.

(Rule 0240-3-7-.02, continued)

- (5) The term “member of the College community” includes any person who is a student, faculty member, College official or any other person employed by the College.
- (6) The term “College premises” includes all land, buildings, facilities, and the property in the possession of or owned, used, or controlled by the College (including adjacent streets and sidewalks).
- (7) The term “organization” means any number of persons who have complied with the formal requirements for College registration of an organization.
- (8) The term “judicial body” means persons authorized by the President of the College to determine whether a student has violated the Student Code of Conduct and to recommend imposition of sanctions.
- (9) The term “Judicial Officer” refers to a College official authorized by the Vice President for Student Affairs to oversee judicial procedures, the investigative process and file charges against students accused of violating the Student Code of Conduct. The Judicial Officer shall also impose sanctions upon students who admit to violations of the Code.
- (10) The term “Judicial Committee” refers to a college-wide body authorized by the President to establish and monitor the Student Code of Conduct and disciplinary sanctions, policies and procedures. The Committee also considers appeals of the Disciplinary Hearing Board’s determination that a student has violated the Student Code of Conduct or sanctions sponsored by the Judicial Officer or Hearing Board.
- (11) The term “shall” is used in the imperative sense.
- (12) The term “may” is used in the permissive sense.
- (13) The “Vice President for Student Affairs” is the person designated by the College President to be responsible for the administration of the Student Code of Conduct.
- (14) The term “policy” is defined as the written regulations of the College as found in, but not limited to, the Student Handbook, or College catalog.
- (15) The term “cheating” includes, but is not limited to:
 - (a) use of any unauthorized assistance in taking quizzes, tests, or examinations;
 - (b) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
 - (c) the acquisition, without permission, of tests or other academic material before such material is revealed or distributed by the instructor;
 - (d) the misrepresentation of papers, reports, assignments or other materials as the product of a student’s sole independent effort, for the purpose of affecting the student’s grade, credit, or status in the College; or to knowingly assist another student in obtaining or using unauthorized material.
 - (e) failing to adhere to the instructions of the proctor concerning test-taking procedures; examples include but are not limited to: talking, laughing, failure to take a seat assignment, other disruptive activities or failing to adhere to starting and stopping times; unapproved use of electronic devices, calculators, palm pilots, etc.

(Rule 0240-3-7-.02, continued)

- (f) influencing, or attempting to influence, any College official, faculty member, graduate student or employee possessing academic grading and/or evaluation authority or responsibility for maintenance of academic records, through the use of bribery, threats, or any other means or coercion in order to affect a student's grade or evaluation;
 - (g) any forgery, alteration, unauthorized possession, or misuse of College documents pertaining to academic records, including, but not limited to, late or retroactive change of course application forms (otherwise known as "drop slips") and late or retroactive withdrawal application forms. Alteration or misuse of College documents pertaining to academic records by means of computer resources or other equipment is also included within this definition of "cheating".
 - (h) Obstructing or interfering with another student's efforts in an academic exercise; including but not exclusively limited to: knowingly giving other students false or misleading information, making library material unavailable to others by stealing or defacing books or journals, or by deliberately misplacing or destroying reserve materials and other reference items.
 - (i) Multiple submission: any work submitted without prior permission, to fulfill another academic requirement.
 - (j) Use of computer resources must conform to TBR Policy 1:08:00:00.
- (16) "Plagiarism" indicates the use of words, data, or ideas of another person without specific acknowledgement. It also includes the acknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed June 11, 1990; effective September 26, 1990. Repeal and new rule filed May 18, 1994; effective September 28, 1994. Amendment filed July 3, 1996; effective November 28, 1996. Amendment filed February 28, 2000; effective June 28, 2000. Amendment filed October 8, 2003; effective February 27, 2004. Amendments filed June 28, 2005; effective October 28, 2005.

0240-3-7-.03 JUDICIAL AUTHORITY.

- (1) Disciplinary charges shall be heard by or pursuant to one of the following:
 - (a) Hearing by the Judicial Officer -- If a student chooses to admit violation of a provision of the Code, the student may either accept sanctions proposed by the Judicial Officer, or choose to have a hearing before the Disciplinary Hearing Body composed of faculty, staff and student members.
 - (b) Hearing before the Disciplinary Hearing Board. A hearing before a college-wide body who are responsible for the review and adjudication of disciplinary cases referred by Judicial Officer. The board will make a finding on the merits of the charges and shall impose an appropriate sanction(s) in accordance with 0240-3-7-.06.
 - (c) Judicial Committee -- a college-wide body who considers appeals of the Disciplinary Hearing Board's determination that a student has violated the Student Code of Conduct or sanctions imposed by the Judicial Officer or Hearing Board. This body also reviews judicial policies and procedures and makes recommendations when changes are necessary.
 - (d) Tennessee Uniform Administrative Procedures Act (TUAPA) -- disciplinary charges that may result in suspension or expulsion from the College may, at the student's option, be heard in conformance with the requirements of the Tennessee Uniform Administrative Procedures Act. The TUAPA is an official state act defining certain procedures that are required when a student

(Rule 0240-3-7-.03, continued)

chooses to have his or her case heard through the Act's provisions. A more detailed description of the Act and its provisions may be obtained from the office of the Vice President for Student Affairs.

- (2) The Judicial Officer and appropriate Committee members shall have responsibility for development of policies for the administration of the judicial program and procedural rules for the conduct of hearings as stated herein. Tennessee Uniform Administrative Procedures Act hearings will be conducted in conformance with the procedural requirements of the Act.
- (3) Decisions made by a judicial body shall be final, pending the normal appeal process.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed July 14, 1992; effective October 28, 1992. Amendment filed April 23, 1993; effective July 28, 1993. Repeal and new rule filed May 18, 1994; effective September 28, 1994. Amendment filed July 3, 1996; effective November 28, 1996. Amendment filed February 28, 2000; effective June 28, 2000. Amendments filed June 28, 2005; effective October 28, 2005.

0240-3-7-.04 STUDENT CODE OF CONDUCT.

- (1) Jurisdiction of the College

Generally, College jurisdiction and discipline shall be limited to conduct which occurs on the College's premises or conduct occurring off-campus, which adversely affects the College's educational mission and/or objectives.

- (2) Prohibited Conduct

Any student found to have committed the following misconduct is subject to the disciplinary sanctions:

- (a) Acts of dishonesty, including but not limited to the following:
 1. Cheating, plagiarism, or other forms of academic dishonesty.
 2. Furnishing false information to any College official, faculty member or office.
 3. Forgery, alteration, or misuse of any College document, record, or instrument of identification.
- (b) Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other College activities, including its public service functions on or off campus, or other authorized non-College activities, when the act occurs on College premises.
- (c) Physical abuse, threats of harm, coercion and/or other conduct which threatens or endangers the health or safety of any person.
- (d) Attempted or actual theft of and/or damage to property of the College or property of a member of the College community or other personal or public property.
- (e) Hazing. Hazing means any intentional or reckless act in Tennessee on or off the property of any higher education institution by one (1) student acting alone or with others which is directed against any other student, that endangers the mental or physical health or safety of that student, or which induces or coerces a student to endanger such student's mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions,

(Rule 0240-3-7-.04, continued)

and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

- (f) Failure to comply with directions of College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- (g) Unauthorized possession, duplication of, or use of keys to any College premises or unauthorized entry to or use of College premises.
- (h) Violation of published College policies, rules or regulations.
- (i) Violation of federal, state or local law.
- (j) Use, possession, distribution, sale or manufacture of alcoholic beverages, or public intoxication on property owned or controlled by the institution; at an institution-sponsored event; on property owned or controlled by an affiliated clinical site; or in violation of any term of the Chattanooga State Drug-Free Schools and Communities Policy Statement.
- (k) Unlawful use, possession, distribution, sale or manufacture, of any drug or controlled substance (including any stimulant, depressant, narcotic, or hallucinogenic drug or substance, or marijuana), being under the influence of any drug or controlled substance, or the misuse of legally prescribed or "over the counter" drugs on property owned or controlled by the institution; at an institution-sponsored event; on property owned or controlled by an affiliated clinical site; or in violation of any term of the Chattanooga State Drug-Free Schools and Communities Policy Statement.
- (l) Possession of any firearms, explosives, or other weapons, including, but not limited to, pistols, rifles, shotguns, BB guns, paint guns, knives, or dangerous chemicals on College premises.
- (m) Participation in a campus demonstration which disrupts the normal operations of the College and infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.
- (n) Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College-sponsored or supervised functions.
- (o) Conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on College premises, or at functions sponsored by the College or in which the College participates.
- (p) Sexual battery or rape as defined by state law.
- (q) Theft or other abuse of computer time, including but not limited to:
 - 1. Unauthorized entry into a file to use, read or change the contents, or for any purpose.
 - 2. Unauthorized transfer of a file.
 - 3. Unauthorized use of another individual's identification and password.

(Rule 0240-3-7-.04, continued)

4. Use of computing facilities to interfere with the work of another student, faculty member or College official.
 5. Use of computing facilities to send obscene messages.
 6. Use of computing facilities to interfere with normal operation of the College computing system.
- (r) Abuse of the College Judicial System, including, but not limited to:
1. Failure to obey the summons of a judicial body or College official.
 2. Falsification, distortion, or misrepresentation of information before a judicial body.
 3. Disruption or interference with the orderly conduct of a judicial proceeding.
 4. Institution of a judicial proceeding knowingly, without cause.
 5. Attempting to discourage an individual's proper participation in, or use of, the judicial system.
 6. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of, the judicial proceeding.
 7. Failure to comply with the sanction(s) imposed under the Student Code of Conduct.
 8. Influencing or attempting to influence another person to commit an abuse of the judicial system.
- (3) Violation of Law and College Discipline
- (a) If a student is charged with an off-campus violation of federal, state, or local laws, disciplinary action may be taken and sanctions imposed for grave misconduct which demonstrates flagrant disregard for the College community. In such cases, no sanction may be imposed unless the student has been found guilty in a court of law or has declined to contest such charges, although not actually admitting guilt.
 - (b) College disciplinary proceedings may be instituted against a student charged with violation of a law which is also a violation of this Student Code of Conduct, (for example, if both violations result from the same factual situation), without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
 - (c) When a student is charged by federal, state or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a judicial body under the Student Code of Conduct, however, the College may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters will be handled internally within the College community, consistent with student records confidentiality requirements under state and federal law. The College will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with government representatives as they deem appropriate.

(Rule 0240-3-7-.04, continued)

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed June 11, 1990; effective September 26, 1990. (Formerly rule 0240-3-7-.02) Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed July 3, 1996; effective November 28, 1996. Amendment filed November 20, 1996; effective March 28, 1997. Amendment filed February 18, 1999; effective June 28, 1999. Amendment filed February 28, 2000; effective June 28, 2000. Amendment filed January 11, 2002; effective May 31, 2002.

0240-3-7-.05 ACADEMIC AND CLASSROOM MISCONDUCT.

(A more complete description of campus procedures associated with academic integrity issues can be found in the student handbook.)

- (1) The instructor has the primary responsibility for control over classroom behavior and maintenance of academic integrity, and can order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or conduct violative of the general rules and regulations of the institution. Extended or permanent exclusion from the classroom or further disciplinary action can be effected only through appropriate procedures of the College.
- (2) Students guilty of academic misconduct, either directly or indirectly through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions which may be imposed through the regular institutional procedures as a result of academic misconduct, the instructor has the authority to assign an "F" or a "0" for the exercise or examination, or to assign an "F" in the course.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed July 14, 1992; effective October 28, 1992. Amendment filed April 23, 1993; effective July 28, 1993. (Formerly 0240-3-7-.03) Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed July 3, 1996; effective November 28, 1996. Amendment filed February 28, 2000; effective June 28, 2000. Amendments filed June 28, 2005; effective October 28, 2005.

0240-3-7-.06 JUDICIAL PROCEDURES.

- (1) Charges and Hearings-The following procedures are applicable to all hearings for violations of this Code except those hearings that are heard in conformance with the requirements of the Tennessee Uniform Administrative Procedures Act.
 - (a) Any member of the College community may file a complaint against any student for misconduct. Complaints shall be prepared in writing and directed to the Judicial Officer. A complaint should be submitted as soon as possible after the event takes place, preferably within ten (10) days of the alleged misconduct.
 - (b) The Judicial Officer or his or her designee may conduct an investigation to determine if the complaint has merit and/or if it can be disposed of administratively by the Judicial Officer or by mutual consent of the parties involved on a basis acceptable to the Judicial Officer. Such disposition shall be final and there shall be no subsequent proceedings.
 - (c) All charges shall be presented to the accused student (hereinafter referred to as "the student") in written form. A time shall be set for a hearing, not less than five (5) days after the student has been notified.

(Rule 0240-3-7-.06, continued)

- (d) All written notices will be mailed or hand delivered to the address of the student as it appears on the official campus records. Students are responsible for keeping the campus Records Office informed of a current address.
- (e) Hearings shall be conducted according to the following guidelines:
 - 1. Hearings shall be conducted in private in order to protect the confidential nature of the proceedings.
 - 2. In hearings involving more than one student, the chairperson of the judicial body or Judicial Officer, in his or her discretion, may permit the hearings concerning each student to be conducted separately.
 - 3. The individual who filed the complaint and the accused have the right to be present during the hearing. The accused may be assisted by an advisor he chooses, at his own expense. The accused is responsible for presenting his or her own case and advisors are not permitted to speak or to participate directly in any hearing.
 - 4. The College, the accused student and the judicial body or Judicial Officer shall have the privilege of presenting witnesses, subject to the right of questioning by the judicial body.
 - 5. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by a Judicial Officer or a judicial body at the discretion of the chairperson.
 - 6. Hearings shall proceed in the following order:
 - (i) Reading of the charges.
 - (ii) The student's denial or admission of the charges.
 - (iii) Presentation of evidence by the College and questions by the student charged and/or the judicial body or Judicial Officer.
 - (iv) Presentation of evidence by the student and questions by the College and/or the judicial body or Judicial Officer.
 - (v) Closing statements by the College and the student.
 - (vi) After the hearing, the judicial body shall determine by majority vote whether the student has violated each section of the Student Code of Conduct which the student is charged with violating.
 - (vii) The judicial body's determination shall be made on the basis of whether it is "more likely than not" that the accused student violated the Student Code of Conduct.
 - (viii) The student shall be notified in writing of the decision within five (5) days of the judicial body's decision. Every attempt will be made to verbally notify the student of the decision prior to the five-day period. In cases involving alleged sexual assault, both the accused and accuser shall be notified in writing within five (5) days of the judicial body's decision.
 - 7. Hearings concerning interim suspension should proceed in the following order:

(Rule 0240-3-7-.06, continued)

- (i) Presentation of information concerning the rationale for the interim suspension should be presented by the Judicial Officer, college officials or the complainant.
 - (ii) Student response: The student may present information and submit statements and documentation in his/her behalf.
 - (iii) Discussion.
 - (iv) The judicial body shall determine by consensus whether or not it is more likely than not that the interim suspension is justifiable and should continue until the hearing date.
 - (v) The student shall be notified in writing of the decision within five (5) days of the judicial body's decision. Every attempt will be made to verbally notify the student of the decision prior to the five (5)-day period. In cases involving alleged sexual assault, both the accused and accuser shall be notified in writing within the five (5) days of the judicial body's decision.
 - (f) There shall be a single verbatim record, such as a tape recording, of all hearings before a judicial body. The record shall be the property of the College.
 - (g) No student may be found to have violated the Student Code of Conduct solely because the student failed to appear before a judicial body. In all cases, the evidence in support of the charges shall be presented and considered.
- (2) Appeals
- (a) The decision concerning violation and/or the sanction imposed may be appealed by the accused student to the Judicial Committee within five (5) class days of notification of the decision. Such appeals must be in writing and shall be delivered to the Judicial Officer or his or her designee.
 - (b) Except as required to explain the basis of new evidence, an appeal shall be limited to review of the verbatim record of the initial hearing and/or supporting documents for one or more of the following purposes:
 - 1. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures giving the accused student a reasonable opportunity to prepare and to present a defense to those allegations.
 - 2. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct which the student was found to have committed.
 - 3. To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing.
 - (c) If an appeal is upheld by the Judicial Committee, the matter shall be remanded to the original judicial body and the Judicial Officer for reopening of the hearing to allow reconsideration of the original determination and/or sanction(s).
 - (d) Subsequent to review by the Judicial Committee, a student may petition to the President for review of the appropriateness of any sanction(s) imposed by a hearing body. Petitions must be delivered to the Office of the President within three (3) class days of the notification of the decision of the Judiciary Committee.

(Rule 0240-3-7-.06, continued)

(3) Victim's Rights

- (a) Some actions that violate the College rules involve victimization of one or more students by another student(s). This behavior may include acts of theft or damage to property, physical violence, and other acts that endanger the safety of others in the College community. If a student has filed a complaint and is identified as a victim, that student is entitled to certain rights during the disciplinary process.
- (b) If a complaint is filed with the Judicial Officer, it is important to remember that the accused student is being charged with violating a College rule or regulation; therefore, the College is ultimately responsible for initiating charges, imposing sanctions if the charged student chooses to admit the violation, implementation of the hearing process, and determination of sanctions following a finding of violation. Although a victim's input may be sought during the disciplinary process, the ultimate disposition of the case rests with the College. If a victim withdraws his or her complaint during the course of the disciplinary proceeding, the College reserves the right to proceed with the case on the basis of evidence other than the testimony of the victim.
- (c) During the course of a disciplinary proceeding, victims have the following rights:
 - 1. To meet with the Judicial Officer or his or her representative to discuss the disciplinary process.
 - 2. To submit a written account of the alleged incident.
 - 3. To meet with the Judicial Officer or his or her representative to discuss the disciplinary process.
 - 4. To be present and to be accompanied by an advisor of the victim's choosing during the hearing process, although the advisor will not be permitted to speak for the victim during the hearing.
 - 5. To testify as a witness during the hearing.
 - 6. To decline to testify, with knowledge that such action could result in dismissal of the College's charges for lack of evidence.
 - 7. To submit a written impact statement to the hearing panel for consideration during the sanctioning phase of the disciplinary process.

(4) Cases of alleged sexual assault-In cases involving alleged sexual assault, both the accuser and the accused shall be informed of the following:

- (a) Both the accuser and the accused are entitled to the same opportunity to have others present during a disciplinary proceeding; and,
- (b) Both the accuser and the accused shall be informed of the outcome of any disciplinary proceeding involving allegations of sexual assault.

(5) Interpretation and Revision

- (a) Any question of interpretation regarding the Student Code of Conduct shall be referred to the Vice President for Student Affairs, or his or her designee, for final determination.

(Rule 0240-3-7-.06, continued)

- (b) The Student Code of Conduct shall be reviewed annually under the direction of the Judicial Officer.

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. (Formerly 0240-3-7-.04) Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed July 3, 1996; effective November 28, 1996. Amendment filed February 18, 1999; effective June 28, 1999. Amendment filed February 28, 2000; effective June 28, 2000. Amendment filed January 16, 2007; effective May 31, 2007.

0240-3-7-.07 SANCTIONS.

- (1) The following sanctions may be imposed upon any student found to have violated the Student Code of Conduct:
 - (a) Warning-A notice in writing to the student that the student is violating or has violated institutional regulations.
 - (b) Probation-Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period. Probation may also include a loss of privileges discussed below, and in cases involving alcohol violations, may require attendance at a College sponsored alcohol offender's program.
 - (c) Loss of Privileges-Denial of specified privileges for a designated period of time. Loss of privileges may include, but will not be limited to, denial of the right to represent the College (as a member of an athletic team or in scholastic competition, for example), denial of the use of campus facilities, denial of parking privileges, denial of participation in extracurricular activities, etc.
 - (d) Restitution-Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - (e) Discretionary Sanctions-Work assignments, service to the College or other related discretionary assignments (such assignments must have the prior approval of the Judicial Officer).
 - (f) College Suspension-Separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
 - (g) College Expulsion-Permanent separation of the student from the College.
 - (h) Mandatory participation in, and satisfactory completion of, a drug or alcohol abuse program, or rehabilitation program.
- (2) More than one of the sanctions listed above may be imposed for any single violation.
- (3) Interim Suspension

In certain circumstances, the Vice President for Student Affairs or the Judicial Officer may impose a College suspension prior to the hearing before a judicial body.

- (a) Interim suspension may be imposed only: a) to ensure the safety and well being of members of the College community or preservation of College community or preservation of College property; b) to ensure the student's own physical or emotional safety; or c) if the student poses a

(Rule 0240-3-7-.07, continued)

substantive threat of disruption of or interference with the normal operations of the College. In cases involving an interim suspension, the hearing will be scheduled within ten (10) days of the first day of the suspension.

- (b) During the interim suspension, students shall be denied access to the campus (including classes) and/or all other college activities or privileges for which the student might otherwise be eligible, as the Vice President for Student Affairs or the Judicial Officer determine to be appropriate.
- (4) Disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's confidential disciplinary record. One year after graduation, the student's confidential disciplinary record may be expunged of disciplinary actions other than College suspension or College expulsion, upon application to the Judicial Officer.

Authority: T.C.A. §49-8-203. **Administrative History:** New rule filed August 28, 1984; effective November 13, 1984. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed April 23, 1993; effective July 28, 1993. Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed February 28, 2000; effective June 28, 2000. Amendment filed January 11, 2002; effective May 31, 2002.

0240-3-7-.08 PROSCRIBED CONDUCT, DISCIPLINARY PROCEDURE AND SANCTIONS FOR STUDENT ORGANIZATIONS.

(1) Prohibited Conduct for Student Organizations

- (a) Any registered student organization may be sanctioned either by the Judicial Officer, after a hearing conducted in accord with the provisions covering individual students or, in the case of suspension or withdrawal of registration during the term of registration, in accord with the contested case provisions of the Tennessee Uniform Administrative Procedures Act unless those provisions have been waived in writing by an authorized representative of the student organization. Such action may be taken for any one of the following reasons:
 - 1. The organization fails to maintain compliance with the initial requirements for registration.
 - 2. The organization fails to submit any required report.
 - 3. The organization or any member operates or engages in any activity in violation of the rules and regulations of the College, of any Organizational Governing Body, or Federal or State laws.
 - 4. Probation. An organization placed on probation is deemed not to be in good standing with the College. Its continued registration is conditioned by adherence to the rules, regulations, and provisions of the Code. Organizations on probation may continue to hold meetings, but may lose selected privileges accorded included, but not limited to, access to College facilities and social privileges. Said organizations must obtain advance approval for all activities from the Judicial Officer.

(2) Student Organization Disciplinary Procedures

- (a) The organization shall be afforded all the rights provided in Rule 0240-3-7-.06 above.
- (b) Initial Action

(Rule 0240-3-7-.08, continued)

1. Violations of College policy, rules, or regulations shall be reported to the Judicial Officer. Where the violation involves Organizational Governing Body rules, a report shall be made to an officer of the Governing Body who shall report to the appropriate adviser in the Division of Student Services. The Judicial Officer shall hold a preliminary interview to determine if formal disciplinary action is warranted.
2. If the Judicial Officer determines there is probable cause to believe that a violation of the Code and/or governing rules has occurred, he/she shall arrange a conference with the organization's officers to notify them of the charges to allow them to present their version of the alleged violation, and to review the rights of the organization.
 - (i) In the absence of unusual mitigating circumstances, the initial conference should be held within five (5) class days from the date of the complaint.
 - (ii) Failure of the officers to agree to have, or appear at a conference or formal hearing, may result in a decision being rendered without organizational input.
 - (iii) After notifying the officers of their rights and explaining the hearing alternatives set forth in subparagraph (d) below, the adviser or Judicial Officer shall solicit from the officers their choice of a hearing alternative. Once this election has been knowingly made, the choice will be binding on all parties.
- (c) Disciplinary charges shall be heard by or pursuant to one of the following:
 1. Through a hearing conducted by the Judicial Officer.
 2. If the alleged violation may result in suspension or withdrawal of registration of the organization during the term of the registration, through a hearing conducted in accordance with the contested case provisions of the Tennessee Uniform Administrative Procedures Act.
- (d) The finding of any judicial branch, on matters of College policy shall be advisory only, the right of any final decision (subject to any right to appeal) shall rest with the Judicial Officer who may (a) accept the finding(s) in whole or in part or make any modification thereof, or (b) reject the finding(s) and direct a hearing before himself/herself or such other administrative official as he/she may designate.
- (3) Student Organization Sanctions
 - (a) Upon a proper determination that an organization has violated any rule or regulation of the College or of this Code, the following organization sanctions may be imposed, either singly or in combination and shall be part of the permanent record.
 1. Reprimand. A written reprimand may be given to any organization in violation of College policy or of this Code. It signifies that the organization is to take necessary action to bring it into compliance and to avoid further violation. Failure to do so will result in more severe penalties.
 2. Restitution. Any organization that has committed an offense against property may be required to reimburse the College or other owner. Any such payment shall be limited to actual cost of repair or replacement.
 3. Restriction. A restriction(s) may be imposed upon an organization. Such restrictions may include, but are not limited to: loss of privilege of meeting or using College facilities,

(Rule 0240-3-7-.08, continued)

denial of right to participate in intramural or other campus events, denial of social functions, other restrictions consistent with the nature of the offense.

4. Probation. An organization placed on probation is deemed not to be in good standing with the College. Its continued registration is conditioned by adherence to the rules, regulations, and provisions of the Code. Organizations on probation may continue to hold meetings, but may lose selected privileges accorded, but not limited to, access to College facilities and social privileges. Said organizations must obtain advance approval for all activities from the Judicial Officer.
5. Suspension or Withdrawal of Registration. Any organization which is suspended or has had its registration withdrawn may not engage in or sponsor any activity or program, and may not hold meetings. Suspension requires the loss of these privileges for a specified period of time. When registration is withdrawn, the organization shall cease to exist.

Authority: T.C.A. §49-8-203. **Administrative History:** Original rule filed May 18, 1994; effective September 28, 1994. Amendment filed February 18, 1999; effective June 28, 1999.

0240-3-7-.09 TRAFFIC AND PARKING REGULATIONS.

- (1) Policy: All students, faculty and staff are expected to comply with the parking regulations in force. A copy of these regulations is made available at registration for each student and is also posted on bulletin boards. All vehicles parked illegally are subject to being towed away at the owner's expense.
- (2) General Parking Rules
 - (a) The cooperation of all persons using Chattanooga State parking facilities is necessary. Those who refuse to comply with these regulations and with the normal expected parking requirements (i.e., parking properly within an outlined space, parking where directed by a Public Safety Officer, obeying traffic signs, and other normal courtesies) may be given a violation ticket. Refusal to pay parking fines will result in holding of grades and student records until all fines are paid.
 - (b) Persons who flagrantly disobey these regulations by parking where they block entrances, exits or other cars, or exhibit other complete disregard of common courtesies and other people, may have their car removed from Chattanooga State parking facilities at the owner's expense.
 - (c) Decals will be properly displayed (rear window for sticker style or on rear view mirror for hanging style). Decals are issued annually in August of each year. In an extreme emergency where a non-registered vehicle is necessary for a limited time, the student or faculty/staff member must secure a temporary parking permit from the Public Safety Department in order not to be liable for a fine.
 - (d) Parking is prohibited on any curb, roadway, loading zone, firelane, or reserved area. Any vehicle parked crossing yellow curbs or parking parallel to yellow curbs or parking in graveled islands will be in violation. Wheels must be headed into concrete wheel stops in graveled lots.
 - (e) Maximum speed on campus is 15 m.p.h. All accidents on campus must be reported to the Public Safety Department.
 - (f) When a faculty member or a member of the staff has a valid requirement to park overnight on the Chattanooga State parking facilities, they should check with the appropriate dean for permission and advise the Public Safety Department by written memo of their intent.

(Rule 0240-3-7-.09, continued)

(g) Curb marking color codes are as follows:

Red –	Fire Lane, Do Not Park
Yellow –	Traffic Lanes, Do Not Park
Blue –	Student Parking
Orange –	Faculty and Staff Parking
White – Marked “Visitor” –	Visitors to Campus Only
White – Marked “Handicapped” –	Approved Students with Disabilities Only Must secure Chattanooga State Disabled sticker.
Black – Marked “Motorcycles” –	Motorcycles Only
Green – Marked “15 Minute Parking –	Students Only” – Short-term Parking
Near Omniplex Building –	15 Minute Time Limit

(h) Parking Lots:

1. Student Parking Lots: Blue Curbs. There are six (6) major student parking areas. Two lots are located in the rear of the campus, one large lot southwest of the Health and Physical Education Building and one lot south of the Health and Physical Education Building. The remaining lots are located in front of the Industrial Technology Center and across from the pond toward the main entrance.
2. Faculty/Staff Parking Lot: (Orange Curb) Reserved for faculty and staff.
3. Disabled Parking Lots: (White Curb) Parking areas facing the Omniplex Building and in the immediate back of the Omniplex Building and other designated places are reserved for students with disabilities Only.
4. Visitor Parking Lot: (White Curb) First row facing front of Omniplex Building reserved for visitors to campus Only.
5. Motorcycle Parking Lot: (Black Curb) Area designated “Motorcycle” located at rear of Omniplex Building
6. Traffic Lanes: (Yellow Curbs) Do Not Park.
7. Fire Lane: (Red Curbs) Do Not Park in any Red marked areas.

(3) Traffic and Parking Violation Fines Minimum Fee

Traffic Violation Fines Minimum Fee

(a) Unlawful Parking:

1. Disabled Area	\$100.00
2. Red Curb or Fire Lane	\$10.00
3. Yellow Curb or Traffic Lane	\$10.00
4. Parking on Grass	\$10.00
5. Faculty/Staff Lot	\$10.00
6. Visitor’s Parking Area	\$10.00
7. Dental Clinic Parking Area	\$10.00
8. CDC Staff Parking	\$10.00
9. Cafeteria Parking	\$10.00
10. White Curb	\$10.00

(Rule 0240-3-7-.09, continued)

11.	Parking by Stop Sign	\$10.00
12.	Fifteen (15) Minute Parking	\$10.00
13.	Motorcycle Parking	\$10.00
14.	Parking on Pavement (side walk)	\$10.00
15.	Unregistered Vehicle	\$10.00

(b) Moving Violations:

1.	Reckless Driving	\$10.00
2.	Running Stop Sign	\$10.00
3.	SPEEDING	\$10.00

Authority: T.C.A. §49-8-203. **Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed April 23, 1993; effective July 28, 1993. (Formerly 0240-3-7-.06) Amendment filed May 18, 1994; effective September 28, 1994. Amendment filed July 3, 1996; effective November 28, 1996. Amendment filed February 28, 2000; effective June 28, 2000.

0240-3-7-.10 REGISTRATION OF MOTOR VEHICLES.

- (1) All students, faculty and staff are required to display a parking decal on the inside rear window, preferably on the driver's side for sticker style or rear view mirror for hanging style. Disabled parking decals can be obtained on approval of a written request through the Counseling/Disabilities Office. Vehicles must be registered during the week of general academic registration or immediately after the vehicle is brought on campus.

Authority: T.C.A. §49-8-203. **Administrative History:** New rule filed August 28, 1984; effective November 13, 1984. Amendment filed November 3, 1989; effective February 28, 1990. Amendment filed June 11, 1990; effective September 26, 1990. Amendment filed April 23, 1993; effective July 28, 1993. (Formerly 0240-3-7-.07) Amendment filed May 18, 1994; effective September 28, 1994.